

of people we are and I know this is a stressful issue. It is a stressful situation and there is great pressure being brought to bear but I think the pressure is more imagined than real. I think on this issue you have nothing to fear but fear itself, and if you do the thing you fear, then the death of fear is certain. I don't think we ought to adopt Senator DeCamp's motion.

PRESIDENT: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, as Senator DeCamp pointed out a little while ago, the Legislature would be a Pardon Board under this resolution and also would be a court and we would not, acting as a Pardon Board and a court, have knowledge as to what went on in the trial, actually, or whether the person was guilty or not. Secondly, we would not have the legal knowledge as to how the convicted one had conducted himself in prison except as told to us by others and, thirdly, we would be a collective judge. If the mood of the Legislature that day was as it was a few days back in Lexington, Nebraska, that poor convicted person would never get out. On the other hand, if recent reports in the news media had been favorable about somebody who had been dismissed and was leading a nice normal life and fitting into the community well, we might be in a mental position to just release almost anybody. I think that this amendment as stated would certainly be confusing to the public when it comes to their hands. As you know from petitions in the past, people wanting others to vote as they do on certain items on the ballot, they say various things which we can't control from here as to what they say to convince people that they should vote one way or the other. I think the language of the thing is confusing. However, I do not criticize Senator Chambers for being for this because it does give him time to do something else.

PRESIDENT: Senator Rasmussen.

SENATOR RASMUSSEN: Mr. President, members of the body, I would like to make a comment on the letter that we received yesterday from Senator Chambers concerning the Parole Board Neal. Senator Chambers, nowhere in this letter that I received from you that was placed on my desk has he retracted the words that he said at the Committee on Committees hearing. All he says is that he does not believe in the death penalty. The things that he said that there is no such thing as a thirty year mandatory sentence he did not retract. That is still here and I certainly support Senator DeCamp on his kill motion.

PRESIDENT: Senator Luedtke.

SPEAKER LUEDTKE: Mr. President, members of the Legislature, as Senator Barnett suggested, you don't have to pass LR 63 to do all the bad things that Senator DeCamp had alluded to. Any Legislature can bring up the death penalty every year and all that we have to do is review the past few years. Senator Chambers has done just that. So we can, if you call that acting as a court, acting as a jury, perhaps that is so. Any policy decision affecting the criminal justice system and the criminal laws of the State of Nebraska, I submit to you, would then be in Senator DeCamp's words acting as a prosecutor, acting as a court, acting as a judge and this just